THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO. 13813 of 1998

DATE: 14-02-2007

Between :

P.Baby Prashati

… Petitioner

And

Government of Andhra Pradesh,
Rep., by its Secretary,
Industries Department,
Secretariat, Hyderabad and 6 others.

… Respondents

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO. 13813 of 1998

ORDER:

This writ petition is filed seeking a declaration that the alleged action of the respondents 1 to 4 in allowing the respondents 5 to 7 to carry on quarrying operations in Sy.No.67/6 to an extent of Ac.2.00 cents in Ward No.24, Rajahmudry, East Godavari District is arbitrary and illegal.

It is alleged that the respondents 4 to 6 were allowed to carry on the quarry operations without any licence for the use of explosive substances for excavating black road metal. It is also alleged that necessary permission under the Mines and Minerals (Regulation and Development) Act, 1957 and the Rules made thereunder have not been obtained by the respondents 5 to 7.

This Court while directing Rule Nisi, granted interim stay of quarrying operations. However, despite service of notice, respondents 5 to 7 did not choose to appear and in the counter affidavit filed on behalf of the respondents 1 to 4, it is stated that the Department has been taking all the necessary precautions to safeguard the interest of the residential locality. It is also stated that the respondents 5 to 7 are not lessees and quarrying is being operated in benami names.

In view of what has been stated in the counter affidavit, no further enquiry is necessary in this writ petition.

Accordingly, recording the statement of the respondents 1 to 4 in their counter affidavit that they are taking all the necessary precautions to safeguard the interest of the residents of the locality, the writ petition is disposed of. Petitioner is also granted liberty to make a fresh representation, in case any inconvenience is caused in future, in which

event the same shall be considered by the respondents 1 to 4 in accordance with law. No costs.

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G. ROHINI, J.

Dt. 14-02-2007
KLP